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SUBJECT: SLOVENIA: 2009 TRAFFICKING IN PERSONS REPORT

REF: STATE 132759

11. The answers provided below are keyed to the questions asked reftel regarding Slovenia's TIP Situation.

12. Slovenia's TIP Situation

1A. The Government of Slovenia (GoS) provides information on trafficking in persons through its national coordinator for and through statistics gathered by police, other government ministries, and NGOs. Three NGOs--Karitas, Kljuc (Key), and Slovene Philanthropy --also provide information. The government and these NGOs are very reliable sources of information.

1B. Slovenia is mainly a transit, and to a much lesser extent a destination and source country. Victims are predominantly trafficked for the purpose of forced prostitution, and some also for forced labor. They are trafficked from Eastern Europe (Ukraine, Moldova), EU countries (Bulgaria, Romania, Slovakia), the Caribbean (the Dominican Republic), and Asia (Thailand, Iran). Victims in transit are mainly trafficked to western Europe.

1C. Most victims have legal status in Slovenia (work/residence permits), and are usually housed close to their "employers." The employers restrict freedom of movement and communication and take a large portion of the victims' income to "repay" the costs of travel, housing, and documentation. The employers often have several establishments, and victims are transferred between these locations if they cause problems for the employers or attempt escape.

1D. The most vulnerable group for being trafficked is young women, for sexual exploitation.

1E. Traffickers are often small business owners, using night clubs and bars as front operations. In many cases, the traffickers or their business associates are not native Slovenians and use connections in their native countries to bring victims to and through Slovenia under false pretenses of lucrative employment or travel. There have been no reports of false documentation used to facilitate trafficking.

13. Government's Anti-TIP Efforts

1A. The government acknowledges that trafficking is a problem and allocates extensive resources to combat it.

1B. The National Anti-Trafficking Coordinator is based in the Ministry of Interior and chairs the Intergovernmental Working Group on Trafficking. The working group includes representatives from the ministries of foreign affairs, justice, labor, defense, and health, as well as from NGOs, the police, state prosecutor's office, parliament, and the media.

1C. There are no limitations on the government's efforts to combat trafficking. The government works to prevent trafficking through public awareness campaigns and training, investigate and prosecute

traffickers through rigorous law enforcement efforts, and protects and assists victims through generous funding, strong legal protections, and cooperation with NGOs for short- and long-term assistance. The government hosts regional conferences and events such as the February 2009 seminar on trafficking sponsored by the OSCE and Slovenia's Human Rights Ombudsman's office.

1D. The government systematically monitors its anti-trafficking efforts on all fronts. The National Coordinator releases a yearly report that is publicly available, and he collects data from the various agencies involved in prevention, protection, and prosecution. The police publicize arrests and prosecutions of traffickers. The coordinator participates in regional and international efforts to combat trafficking.

14. Investigation and Prosecution of Traffickers

1A. The government prohibits all forms of trafficking in persons through Penal Code, articles 112 (Enslavement), 113 (Trafficking in Human Beings), 175 (Abuse of Prostitution). Article 39 of the Aliens Act provides foreign trafficking victims with temporary residence permits so they can remain in Slovenia; the Witness Protection Act of 2006 established procedures for protection of witnesses, and amendments to the law in 2007 allow witnesses to leave Slovenia during a trial for their safety.

1B. Slovenia's criminal code prescribes penalties ranging from six months to 15 years' imprisonment for trafficking for sexual exploitation. A November 2008 change to the criminal code increased the penalties for trafficking minors to a maximum of 15 years from a previous maximum of 10 years. These penalties are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape.

1C. The penalties for labor exploitation are the same as for other forms of trafficking, with a maximum of 10 years imprisonment (15 in the case of victims who are minors) for facilitating trafficking and resulting forced labor. Confiscation of passports or other documents is also penalized, as are other means to keep workers in a state of service.

1D. Slovenia's criminal code prescribes penalties ranging from six months to 15 years' imprisonment for rape or forcible sexual assault. These penalties are commensurate with those prescribed for sex trafficking. A November 2008 change to Slovenia's criminal code increased the penalties for trafficking minors to a maximum of 15 years from a previous maximum of 10 years.

1E. Investigations:

- Under article 112 (Enslavement) 3 cases against 5 perpetrators (3 Slovene males, 1 Serbian male, 1 Slovene female); 1 male victim of Slovene nationality, 3 female victims of unknown nationality, 1 female victim of Ukrainian nationality.

- Under article 113 (Trafficking in Human Beings) 9 cases against 10 perpetrators (6 Slovene males, 1 Bosnian male, 1 Romanian male, 2 Ukrainian females); 13 female victims of Ukrainian nationality, 9 female victims of Dominican Republic nationality, 2 male minors of Romanian nationality, 1 female minor of Romanian nationality.

- Under article 175 (Abuse of Prostitution) 5 cases against 7 perpetrators (5 Slovene males, 1 Bosnian male, 1 Ukrainian female); 23 female victims of Ukrainian nationality, 10 female victims of Dominican Republic nationality, 7 female victims of Slovene nationality.

Total: 17 cases, 22 perpetrators, 65 victims

The prosecutions resulting from these investigations had not concluded at the end of the reporting period. Convicted traffickers are serving the time sentenced (we are waiting on a status update on how many).

1F. The government provides frequent training. For example, in October 2008 it organized a seminar for all experts involved in anti-trafficking activities in Slovenia. In November 2008 the Police and NGOs dealing with TIP organized training for Police and

NGO activists. Slovenian soldiers receive anti-trafficking training as a standard component of pre-deployment preparations.

I.G. The government cooperates bilaterally with other governments and multilaterally through organizations such as the European Network for Antitrafficking (ENAT). During the reporting period the government cooperated in two investigations, one bilaterally with Ukrainian police on a case involving a Slovene man and his Ukrainian wife who brought women from Ukraine for sexual exploitation in Slovenia, and the second involved cooperation with the Southeast European Cooperative Initiative Regional Center for Combating Trans-border Crime (SECI) in Romania on a case of victims transiting Slovenia.

I.H. The government extradites persons charged with trafficking in other countries. There were no such extraditions during the reporting period, and no extraditions pending.

I.I. There is no evidence of government involvement in or tolerance of trafficking.

I.J. See answer to paragraph I.

I.K. Prostitution is decriminalized but might be considered as a misdemeanor if its performance violates the Regulation on Public Order. Because prostitution is not legalized, there is no legal minimum age. Activities of brothel owner/operators, clients, pimps, and enforcers are criminalized and prosecuted. These laws are enforced.

I.L. There were no Slovenian troops accused of or investigated for engaging in or facilitating trafficking.

I.M. The country does not have an identified problem of child sex tourists coming to the country. The country's laws against child sexual abuse have extraterritorial coverage. No nationals were prosecuted during the reporting period under these provisions.

I.5. Protection and Assistance to Victims

I.A. The government provides appropriate protection to victims and witnesses by providing financial sources for crisis housing (operated by NGO Karitas) and a safe house (operated by NGO Kljuc), assuring legal status for them in Slovenia (temporary residence permit), and facilitating access to integration programs (enabling studying or working in Slovenia).

I.B. The country has one safe house operated by NGO Kljuc and several housing facilities around the country operated by NGO Karitas that are specifically for trafficking victims. Foreign victims have the same access to care as domestic trafficking victims. NGOs Kljuc and Karitas provide specialized care for adult victims, both men and women, while NGO Slovene Philanthropy provides specialized care for child victims. The government provided \$95,000 for victim assistance during the reporting period to provide for shelter and other services.

I.C. The government provided quality victim assistance and protection during the reporting period, with \$95,000 from the federal budget going to two NGOs to provide both short-term and extended victim assistance including shelter, rehabilitative counseling, medical assistance, vocational training, and legal assistance.

I.D. Yes. Foreign trafficking victims who assist law enforcement are eligible to stay in Slovenia for the duration of the trial or longer in case they are included into the integration process (studying, working).

I.E. The government provides shelter or housing assistance for up to one year, as well as counseling and other resources. Also see the previous answer.

I.F. The government continued to implement its formalized victim identification and referral mechanism during the reporting period; the process provides victims with access to the short- and long-term care facilities and resources discussed in paragraphs B and C.

I.G. The total number of victims identified was 65. The number of victims referred to care facilities for assistance by law enforcement authorities during the reporting period was not available, but we might be able to update it before the final deadline. NGOs assisted 38 victims (Kljuc 19, and Karitas 19). Both NGOs also responded to many phone calls and offered advice by phone

I.H. Yes. Law enforcement, immigration, and social services personnel receive formal training and have formal procedures to identify victims and refer them to the proper care facilities.

I.I. The government respects the rights of victims, and victims are not detained or jailed, fined, or prosecuted for other violations.

I.J. The government encourages victims to assist in the investigation and prosecution of trafficking, and provides foreign victims with temporary residency permits while they are doing so. One victim is a witness in an ongoing prosecution begun during the reporting period. Victims may file civil suits or seek legal action against traffickers, and there is no impediment to such legal redress. Victims are permitted to obtain other employment or to leave the country pending trial proceedings when the victim is the material witness in a court case. Victims may obtain restitution through civil suit, and the 2006 law on victim compensation ensures that victims can receive compensation for injuries or harm suffered from trafficking even if the perpetrator is not caught or prosecuted.

I.K. The government provides specialized training for government officials in identifying trafficking victims and in the provision of assistance to trafficked victims, including the special needs of trafficked children. The government also provides training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries. As far as we know, Slovenia's embassies or consulates abroad did not assist any trafficking victims during the reporting period.

I.L. Yes. The government provides such assistance for reintegration into Slovenia.

I.M. The NGOs Kljuc, Karitas, and Slovene Philanthropy provide housing, counseling, and other victim assistance; they also participate in public awareness campaigns and training. UNHCR works with asylum seekers who are at greatest risk for trafficking, providing information and assistance. These organizations receive excellent cooperation from local authorities.

I.6. Prevention

I.A. The Ministry of Interior funded public awareness campaigns conducted by the NGOs Karitas and Kljuc that targeted groups most vulnerable to trafficking. The national coordinator did radio interviews and appeared on television talk shows to highlight the problem. In October 2008 the working group facilitated programs in high schools throughout the country in connection with European Antitrafficking Day.

The Ministry of Interior, UNHCR, Kljuc, and the NGO Filantropia jointly administered a project that addressed trafficking and gender based violence by providing information and assistance to asylum seekers at greatest risk of being trafficked, particularly single women and children separated from their parents.

The government also continued the "Vijolica" and "CAP" programs, administered by Kljuc, to provide trafficking awareness classes for elementary and secondary school students.

I.B. The government monitors immigration and emigration patterns for evidence of trafficking, and immigration and law enforcement officials screen for potential trafficking victims along borders. The government continued to actively cooperate with NGOs and Interpol in project "Red Routes" by sharing information about traffickers and patterns of illegal migration.

I.C. The government's national coordinator for trafficking in persons served as the head of the interagency working group on trafficking in persons, which is responsible for the government's long-term

national strategy to combat trafficking. The working group consisted of representatives of ministries, NGOs, international organizations, and the media.

¶D. The interagency working group on trafficking in persons established a 2008-09 action plan against trafficking that included trafficking legislation, prevention, prosecution, victims' assistance, and projects. The Ministries of Interior, Social Work, and Education, as well as NGOs and media representatives were involved in developing the action plan. The government provided funding for and conducted awareness campaigns; investigated and prosecuted criminal acts of trafficking; cooperated with NGOs, the media, and other countries in prevention efforts; and provided funding and training for victims' assistance.

E: The government sponsored awareness brochures and TV commercials targeting possible commercial sex clients.

¶F. The government's efforts did not include specific measures to reduce participation in international child sex tourism.

¶7. Post's point of contact is Evan Haglund, political officer, tel: +386-200-5676, fax: +386-200-5555. LES spent 50 hours, FS-04 pol/econ officer spent 23 hours, FS-01 A/DCM spent 3 hours in preparing the report.

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